

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF TENNESSEE  
COLUMBIA DIVISION

WILLIAM AVERY McKNIGHT, )  
Plaintiff, )  
v. ) No. 1:14-cv-0058  
MARSHALL COUNTY JAIL and ) Chief Judge Haynes  
FELECIA McGEE, )  
Defendants. )

**O R D E R**

Plaintiff, William Avery McKnight, filed this pro se action under 42 U.S.C. § 1983 against the Defendants, the Marshall County Jail and Ms. Felecia McGee. The complaint is before the Court for an initial review pursuant to the Prison Litigation Reform Act ("PLRA"). Plaintiff also filed his application to proceed *in forma pauperis*.

Plaintiff's application to proceed as a pauper failed to attach a "certified copy of the trust fund account statement (or institutional equivalent) for the prisoner for the 6-month period immediately preceding the filing of the complaint." 28 U.S.C. § 1915(a)(2). Plaintiff's submission, however, includes verified certification by the jail administrator that Plaintiff lacks the funds to pay the entire filing fee in advance. Plaintiff's application to proceed as a pauper (Docket Entry No. 2) is **GRANTED**.

Pursuant to 28 U.S.C. §§ 1915(b) and 1914(a), Plaintiff is herewith assessed the \$350.00 civil filing fee. The Administrator of the Marshall County Jail, as custodian of Plaintiff's inmate trust account, is **DIRECTED** to submit to the Clerk of Court, as an initial payment, the greater of: (a) 20% of the average monthly deposits to Plaintiff's credit at the jail; or (b) 20% of the average monthly balance to Plaintiff's credit for the six-month period immediately preceding the

filings of the complaint. 28 U.S.C. § 1915(b)(1). Thereafter, the custodian shall submit 20% of Plaintiff's preceding monthly income (or income credited to Plaintiff for the preceding month), but only when Plaintiff's monthly income exceeds \$10.00. 28 U.S.C. § 1915(b)(2). Payments shall continue until the \$350.00 filing fee has been paid in full to the Clerk of Court. 28 U.S.C. § 1915(b)(3). All payments made pursuant to this order must be submitted to the Clerk of Court for the United States District Court for the Middle District of Tennessee, 801 Broadway, Nashville, TN 37203.

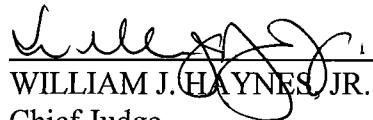
The Clerk of Court **MUST** send a copy of this Order to the Administrator of the Marshall County Jail to ensure compliance with that portion of 28 U.S.C. § 1915 pertaining to the payment of the filing fee. If Plaintiff is transferred from his present place of confinement, the Marshall County Jail must ensure that a copy of this order follows Plaintiff to his new place of confinement, for continued compliance herewith.

In accordance with the Memorandum filed herewith, this action is **DISMISSED with prejudice**. Any appeal of this Order would not be in good faith as required by 28 U.S.C. § 1915(a)(3).

This is the Final Order in this action.

It is so **ORDERED**.

**ENTERED** this the 16 day of May, 2014

  
WILLIAM J. HAYNES, JR.  
Chief Judge  
United States District Court